



**Beador
Construction
Company, Inc.**

May 31, 2016

Department of Transportation
Division of Engineering Services
Office Engineer
1727 30th Street, MS-43
P.O. Box 168041
Sacramento, CA 95816-8041

Attention: Mrs. Jill Y. Sewell
Office Chief

RE: Bid Protest – DVBE Submittal – BRM
Response to First Vanguard Letter faxed 5/25/16
CalTrans Contract 08-1F1104

Mrs. Sewell:

Beador Construction Company Inc. continues to protest the use of First Vanguard Rental & Sales DVBE commitment amount of \$15,925.23. First Vanguard, by its own admission, does not normally sell roofing and siding materials. Without doubt, they cannot sell reinforcing steel and get DVBE credit as they do not have a facility that specializes in bending and shaping reinforcing steel. Moreover, they state “we fulfill our obligation...by finding a “reliable vendor” to work with”. Page 45 of the special provisions requires “a pre-engineered steel building.” The specifications require and state a “Pre-engineered steel building must be of the rigid frame type with non-tapered columns and MUST INCLUDE structural steel framing, permanent lateral bracing, anchor rods, base plate ties, fasteners, ROOF PANELS, WALL PANELS, sealants et al...”

Manufacturers of pre-engineered steel buildings supply the roofing and siding materials (in fact all “pre-engineered building materials”). An outside vendor such as First Vanguard supplying these materials could and probably would void the “pre-engineering manufacturers design and warranty” as they have designed their buildings with their materials. The pre-engineered building manufacturer also figures quantities and delivers the material with the structural steel and other pieces of the pre-engineered building. First Vanguard and BRM would not be allowed to supply their own siding and roofing materials or would need to “separate that portion out” from the pricing of the “pre-engineered building” and then buy the roofing and siding from “pre-engineered building manufacturer” thus only acting as a pass-through.

We again, respectfully request the State disallow these items from the DVBE submittal of BRM. Should you have questions or comments, please feel free to call.

Sincerely,

Beador Construction Company, Inc.

David A. Beador

David A. Beador

President

REF: 08-1F1104

99-11 EQUIPMENT

Not Used

99-12 FURNISHINGS

Not Used

99-13 SPECIAL CONSTRUCTION**99-13121 PRE-ENGINEERED STEEL BUILDING****99-13121A General****99-13121A(1) Summary**

Scope: This work consists of designing, fabricating, and erecting a pre-engineered steel building.

Pre-engineered steel building must be of the rigid frame type with non-tapered columns and must include structural steel framing, permanent lateral bracing, anchor rods, base plate ties, fasteners, roof panels, wall panels, sealants, doors, windows, ventilators, flashings, and such other parts, elements or components of the frame and outside walls and roof, not mentioned, that are required for the complete construction of a rigid, waterproof building.

99-13121A(2) Design Criteria

The building and the building design must comply with the applicable requirements in (1) the AISC: "Specification for Structural Steel Buildings," (2) the AISI "North American Specification for the Design of Cold-Formed Steel Structural Members," (3) the Metal Building Manufacturers Association "Metal Building Systems Manual," and (4) 24 CA Code of Regs Pt 2, including the modification to loads or stresses specified therein.

The building must be designed for simple erection with only bolted type field connections for framing.

Horizontal acting forces must be applied parallel and perpendicular to the direction of the bents.

Diagonal rods or rigidly connected structural framing must be used to resist lateral loads, except wall and roof panels may be used to resist lateral loads, provided that design calculations and laboratory test data are submitted to substantiate their adequacy. Cables will not be allowed for permanent lateral bracing.

The roof covering system must be designed for an UL Class 60 minimum wind uplift rating.

Weatherlight features of the design must include closures and continuous seals at panel ends and sides, flashing, sealing, lapping of panels in the direction of prevailing winds, and seals under fastener heads.

99-13121A(3) Definitions

Not Used

99-13121A(4) Submittals

Complete shop drawings, erection instructions and drawings, design calculations, complete material descriptive information and manufacturer's standard color palette must be submitted. Submittals must be authorized before the start of fabrication.

Shop drawings and calculations must be sealed and signed by an engineer who is registered as a civil engineer in the State.

Shop drawings must show the size, thickness, shape, configuration, type, grade, class, description and coating, if any, of all materials used in the building. Joint details, connection and anchoring details and details of all temporary and permanent bracing must be shown.

Calculations for the design of the building and the bracing must include a list of applied loads and load combinations with the resulting member forces and member stresses. Maximum upward acting, downward acting and horizontal acting forces at the base of columns must be included.

If the design calculations consist of computerized or tabulated calculations, the values pertaining to the building design for this project must be identified, described, or indexed in such a manner that a design check can be performed.

The manufacturer's color palette must show the standard color line of coatings for building and accent colors. The colors must be as shown. Certificates of Compliance: Submit a certificates of compliance for the pre-engineered steel building.

99-13121A(5) Quality Control and Assurance

Not Used

99-13121A(6) Delivery, Storage, and Handling

The pre-engineered steel building components must be transported and handled in such a manner as to prevent damage due to twisting, distortion or deformation. Building components must be stored off the ground.

99-13121B Materials

99-13121B(1) General

Primary and Secondary Steel Framing Members: Primary and secondary steel framing members must be manufacturer's standards for the type, size, and shape of building to be constructed. The minimum steel strength must be as shown.

Roof Panels: Roof panels must be at least 0.028 inch thick 24-gauge, cold-formed, galvanized sheet steel complying with ASTM A 563/563M, Grade 33 [230] with G90 coating. Panels must have primary vertical ribs spaced at 12 inches maximum with 2 intermediate secondary ribs located between the primary ribs. The depth of the primary ribs must be between ¾ inch and 1½ inches. The net minimum width of the panels must be 24 inches. Each roof panel must have an integral anti-siphon trough or break. Roof panels must be continuous from ridge to eaves for all roof slopes 95 feet or less in length.

Wall Panels: Wall panels must be not less than 0.028 inch thick (24-gauge), cold-formed, galvanized sheet steel complying with ASTM A 653/A 653M, Grade 33 with G90 coating. Wall panels must be continuous from eaves or gables to sill except at wall openings.

Fastener: Fasteners for the steel frame, roof panels, wall panels, and accessories must be the building manufacturer's standards and must be of the size, type, and spacing required by the design.

Sealant: Sealant must be a single component complying with ASTM C 920. Sealant must be clear, translucent, or opaque white.

Backer Rod: Backer rod must be round, open cell polyurethane, sized such that it must be compressed between 25 percent and 75 percent of its uncompressed diameter when inserted in the joint.

Rib and Flute Closures: Rib and flute closures must be ultraviolet and weather resistant rubber, neoprene, or closed cell polyethylene.

Man Door and Frames, Windows, Overhead Doors, and Door Hardware: Man doors and frames, windows, overhead doors, and door hardware must comply with section 99-08.

Fascia, Trim, Metal Soffit, Coping, Ridge Cover, Flashings, Clips, and Miscellaneous Support Shapes: Fascia, trim, metal soffit, coping, ridge cover, flashings, clips, and miscellaneous support shapes must be building manufacturer's standards.

99-13121B(2) Fabrication

Building frame components must have all the bolt holes necessary for erecting, assembling, and fastening made at the factory.

Bolt holes must be either punched full size, drilled full size, subpunched and reamed, or subdrilled and reamed. The finished holes must be cylindrical, perpendicular to the plane of the connection, and must be not more than 1/16 inch larger than the nominal diameter of the bolt. Mispunched or mldrilled holes must not be corrected by welding unless authorized by the Engineer.

From: Bill Miller

Fax: (888) 323-2838

To: Irene Beckham

Fak: +1(916)2278282

Page 1 of 4 05/26/2016 9:03 PM



First Vanguard Rentals & Sales Inc.

Phone#: (707) 673-2165 Email: estimating@1stvg.com

Fax#: (707) 673-2789 www.1stvg.com

408 Union Ave. Suite A.

Fairfield, CA 94533

DVBE/SBE: #1769627 SDVOSB Certified

RE: 08-1F1104

The bid protest mentions First Vanguard Rentals & Sales Inc. does not possess the proper classifications to sell roofing and siding materials. State of California certifications use UNSPSC codes to categorize suppliers. Our firm has appropriate UNSPSC codes for our type of business, according to our certification officer.

First Vanguard Rentals & Sales Inc. is not a "pass through". We have a 2 story office, a warehouse filled with material, and a yard for our equipment. We are on a NET30 accrual accounting system, with multiple vendors.

The California Military and Veterans Code, Section 999(b)(5) states that a DVBE is deemed to perform a "commercially useful function" if it does all of the following:

- Is responsible for the execution of a distinct element of the work of the contract. *We source products from vendors daily. We fulfill our commercial useful function by finding a reliable vendor to work with (if we do not already have an existing account with that company), opening an account with them (which often involves signing personal guarantees and money upfront from us)*

- Carries out the obligation by actually performing, managing, or supervising the work involved. *We did a takeoff on the plans with my estimating staff, requested pricing from our vendors and getting our customers the best price we can. We then formulate a quote, buy the material and deliver the material if we get the work. We also must manage the order after delivery, we have to ensure the product is correct, delivered on time, communicate any changes on schedule or ETA's and receive and bill on time. If there are problems, it is our job to ensure the customer is taken care of and we have to work with the manufacturer or factory to resolve an issue. Additionally, much of the material we sell is stored here in our warehouse*

- Performs work that is normal for its business services and function. *This is what we do every day. We are a material supplier and rental company. We pride ourselves on our ability to find the hard to find items to the mundane everyday items. In fact, we recently quoted the DGS directly on two separate roofing supply opportunities. (Please see attached)*

- Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices. *We are not subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.*

Sincerely,

Robert Merwin President, First Vanguard Rentals & Sales Inc.